

## Guest Editorial

### The Growth and Control of International Environmental Crime

Over the last three decades the national and international framework for the protection of the natural environment has evolved rapidly. Charles Schmidt's excellent article (Schmidt 2004) in this issue shows that as national and international legislation has expanded, so too have the opportunities to evade it. International environmental crime—the deliberate evasion of environmental laws and regulations by individuals and companies in the pursuit of personal financial benefit, where the impacts are transboundary or global—is a serious and growing problem.

As far as we know, the total value of the major forms of international environmental crime—illegal logging and fishing, illegal trade in wildlife and in ozone-depleting substances, and illegal dumping of hazardous waste—may be on the order of \$20–40 billion a year, about 5–10% of the size of the global drug trade. Compared to the “war on drugs,” however, the resources and political will that are being devoted to tackling the problems of international environmental crime are derisory; yet, also unlike the drug trade, they threaten every citizen of the world and also undermine several key environmental treaties.

Why does international environmental crime exist? In practice, there are a number of drivers behind the formation of environmental black markets.

- Differential costs or values: where illegal activities are driven by regulations that create cost differentials between legal and illegal products, by differential compliance costs (or different consumer prices), by demand in different countries for scarce products for which substitutes are not available or accepted, and by a lack of concern for the environment.
- Regulatory failure: where illegal activities result from a lack of appropriate regulation, including failures to determine and/or protect property rights and open access problems (for example, no one “owns” the oceans).
- Enforcement failure: where illegal activities exist because of problems with enforcement, including suitability of regulations, the costs of compliance (detection of environmental contraband is often very difficult), lack of resources and expertise, corruption, and political and economic disruption.

The reported incidence of illegal environmental activities has undoubtedly grown in recent years, partly because the implementation of new multilateral environmental agreements (MEAs) has provided new opportunities for evasion, and partly because greater public and governmental awareness has led to more investigation into the issues.

Other contributory factors include the general trend toward trade liberalization and deregulation, which makes enforcing border controls more difficult, and the growth of transnational corporations, among whom regulations are difficult to enforce. The transformation of the former Soviet bloc, the difficulties of environmental law-making and law enforcement, and the rise of organized crime in many former communist economies have also contributed to the problem. Another contributory factor has been the growing involvement of developing countries in MEAs, as most of them lack adequate resources to implement the provisions of these agreements effectively. For all these reasons, it seems very likely that international environmental crime will continue to expand in the coming decades.

Although all of these problems are serious, they are at least beginning to be addressed. Some effective enforcement has taken place in several countries, including control of the illegal trade in wildlife and



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wildlife products (the oldest problem) and of smuggling of ozone-depleting substances (ODS). Recently, illegal logging and the trade in illegal timber has been a major focus. These experiences provide useful lessons for the wider control of such activities.

Since 1996, G8 summits have called for more effective and better coordinated action to combat international environmental crime, and Interpol, the World Customs Organization, and the United Nations Environment Programme (UNEP) have all begun to work on the issue—although since 11 September 2001, almost all law enforcement agencies have diverted attention away from issues such as environmental crime to focus more on terrorism. Nevertheless, various networks of environmental enforcement agencies have been established, including the International Network for Environmental Compliance and Enforcement and the European Network on the Implementation and Enforcement of Environmental Law. The Lusaka Agreement (1994) between six African nations to enhance cross-border enforcement of wildlife law provides a potentially useful model, as does, in a slightly different context, various initiatives designed to exclude illegal products from international markets, including the Catch Documentation Scheme of the Convention for the Conservation of Antarctic Marine Living Resources (CCAMLR; for illegal fishing) (CCAMLR 1999), the Kimberley Process on conflict diamonds (Kimberley Process 2002), and the European Union's (EU) recent Forest Law Enforcement, Governance, and Trade action plan (on illegal logging) (EU 2003).

There are many policy options available for combating international environmental crime. Attention tends to focus on control of the illegal trade itself, and indeed there are many areas for improvement, including greater cooperation between environment and enforcement agencies at the international, regional, and national levels; the establishment of national environmental crime units or working parties; and better means of tracking and identifying of illegal products. All of these require the allocation of greater resources, of course, but many cases of environmental crime involve unpaid taxes or charges; therefore, investment here can reap financial as well as environmental dividends.

There are also, however, other ways to tackle the problem. Demand-reduction strategies may well be a more cost-effective way of dealing with some forms of illegal trade. If illegal products can be identified—or, more realistically, if products that are known to be legal can be certified as such—consumers and importers can be educated to look for evidence of legal production and to refuse products that lack it. This kind of certification scheme is at the core of the EU's recent plans to exclude illegal timber from European markets. Similarly, government procurement programs can play an important role through insisting that products purchased are of guaranteed legality.

Strategies can also be designed to reduce the supply of illegal materials. Eventually all ODS will be phased out under the Montreal Protocol (UNEP 2000), for example, thus solving the problem of illegal trade in ODS. In other areas, including wildlife, fishing, and logging, policy options include reform of the systems for granting exploitation rights, taxes, subsidies, and regulation; the involvement of local communities; and the availability of alternative forms of employment and economic activity.

The growth of environmental crime is a serious side effect of the development of policies aimed at protecting the environment. Unlike most other kinds of crime, it harms not just individual victims but society as a whole. International environmental crime potentially damages the global environment. There is no shortage of policy options available for controlling this illegal activity, but what is still lacking in most cases is the political will to carry them out.

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### Note from the Editor:

#### EHP Expands Information Sharing on Global Health Issues

*EHP* is launching a new program to further disseminate information on global health issues to the international community. Last month, *EHP* entered into a partnership with the newly reformatted Spanish-language peer-reviewed journal *Ciencia y Trabajo* (*C&T*), formerly *Bolétin Científico*. A principal feature of this agreement is the inclusion of an *EHP* section within *C&T*. Initially, 10 pages of *C&T* will be devoted to Spanish-language translations of *EHP* Environews articles. By agreement, those translations will also be made available on our website (<http://www.ehponline.org/>).

*EHP* develops and publishes a wealth of information directly related to global health issues. Much broader dissemination of this information will aid scientific exchange and policy discussions. Our decision to switch to an open access publishing model is helping to achieve this goal. However, to be most useful, environmental health information needs to be translated into other languages. Budgetary and resource considerations limit the number of translations we can produce on our own. In addition, we believe that the creation of regional journals as an outlet for research in developing countries should be encouraged. Therefore, we have launched this new partnership and are open to developing similar arrangements with other non-English-language journals. We welcome nominations of such journals for consideration of inclusion of translated *EHP* content and strongly encourage our readers to contact the editors of their favorite journals and urge them to pursue a relationship with *EHP*. The only cost involved for the partnering journal would be the cost for the translations. As with the *C&T* partnership, we would ask that the translated material be made available to *EHP* for inclusion on our website.

I especially welcome inquiries from participants in programs devoted to promoting and supporting scientific research and training internationally to reduce disparities in global health. The editors of *C&T* and *EHP* were brought together by Luz Claudio of the Mount Sinai School of Medicine, working in the international arena supported by grants from the National Institutes of Health John E. Fogarty International Center's (FIC) International Training and Research Program in Environmental and Occupational Health. If you are involved in any of the FIC or similar programs and would like to discuss how *EHP* can partner with your group, please contact me.

The expansion of *EHP* content through sections in non-English-language journals is the latest initiative in our international outreach efforts. Other programs include complimentary print subscriptions to readers in developing countries, a Chinese-Language Edition published quarterly and distributed to 35,000 readers, an FIC initiative to partner with African journals, and translation of "In This Issue," which encapsulates each issue's news and research content, into five languages: Chinese, French, Japanese, Russian, and Spanish (available online only).

Please join with us as we continue to seek new ways to improve global health through information sharing.

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